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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,813	10/30/2003	Cheng Chung Wang	10111394	1309

34283 7590 04/06/2007
QUINTERO LAW OFFICE, PC
2210 MAIN STREET, SUITE 200
SANTA MONICA, CA 90405

EXAMINER

HEWITT, JAMES M

ART UNIT	PAPER NUMBER
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3679

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/696,813	Applicant(s) WANG, CHENG CHUNG	
	Examiner James M. Hewitt	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) 4, 15, 16 and 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 8, 11 and 12 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 6, 7, 9, 10, 13 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/8/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 2/8/07 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Chaffee (US 5,267,363).

With respect to claim 8, Chaffee discloses an inflatable product; including; a first chamber (mattress); a pack (assembly 12) having an air intake connected to the outside of the first chamber and a first air outlet connected to the inside of the first chamber, wherein the pack is built in the first chamber; a first valve (12) for manually opening and

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closing the first air outlet, wherein the first valve is a two-way valve connected to the pack; and a motor (25) connected to a fan (21) for rotating the fan to pump air from the outside of the first chamber through the air intake and the first valve and then into the first chamber from the first air outlet.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Citation C1 ("Instruction Sheet for 'Insta-Bed'") of the IDS filed 2/8/07.

With respect to claim 1, the Insta-Bed Instruction Sheet discloses an inflatable product, including: a first chamber; a pack (that structure shown in deflation step 1 that receives the pump) having an air intake connected to the outside of the first chamber and a first air outlet connected to the inside of the first chamber, wherein the pack is built in the first chamber; a first valve (evidenced by "on" to inflate, "off" to stop inflation) for opening and closing the first air outlet, wherein the first valve is received in the pack; and a pump received in the pack, wherein air is pumped by the pump from the outside of the first chamber through the air intake and the first valve and then into the first chamber from the first air outlet. The Insta-Bed publication fails to teach that the valve is a two-way valve. Yet, as the instant specification and evidence of record fail to

attribute any significance (novel or unexpected results) to employing a two-way valve, such is deemed to have been a design consideration within the skill of the art. And thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a two-way valve in the Insta-Bed. The Insta-Bed publication fails to teach that the pump includes a fan and a motor. Yet, as the instant specification and evidence of record fail to attribute any significance (novel or unexpected results) to employing a fan and a motor as the pump means, such is deemed to have been a design consideration within the skill of the art. And thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a fan and a motor as the pump means in the Insta-Bed.

With respect to claim 5, the Insta-Bed Instruction Sheet fails to teach a valve switch to open the first valve. Yet, as the instant specification and evidence of record fail to attribute any significance (novel or unexpected results) to employing a switch to open the first valve, such is deemed to have been a design consideration within the skill of the art. And thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a valve switch to open the Insta-Bed's first valve.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaffee (US 5,267,363).

Chaffee fails to teach a valve switch to open the first valve. Yet, as the instant specification and evidence of record fail to attribute any significance (novel or

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unexpected results) to employing a switch to open the first valve, such is deemed to have been a design consideration within the skill of the art. And thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a valve switch to open Chaffee's first valve.

Regarding claim 12, Chaffee discloses a spring (311) that is compressed to open the first valve.

Allowable Subject Matter

The indicated allowability of claims 1, 5, 8 and 11-12 is withdrawn in view of the newly discovered reference(s) to Chaffee and the Insta-Bed Instruction Sheet (Citation C1).

Claims 2-3, 6-7, 9-10 and 13-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

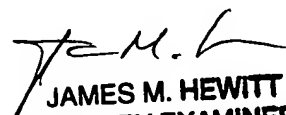
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH
4/1/07


JAMES M. HEWITT
PRIMARY EXAMINER